



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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Ref: 8EPR-N

NOV 19 2009

Steven J. Kozel, District Ranger  
Black Hills National Forest  
Bearlodge Ranger District  
PO Box 680  
Sundance, WY 82729

Re: Rattlesnake Forest Management Project,  
Draft EIS: CEQ #20090344

Dear Mr. Kozel:

The U.S. Environmental Protection Agency (EPA) Region 8 reviewed the Draft Environmental Impact Statement (DEIS) for the Rattlesnake Forest Management Project on the Black Hills National Forest in accordance with EPA responsibilities under the National Environmental Policy Act (NEPA), 42 U.S.C 4231, and Section 309 of the Clean Air Act. As presented in the DEIS, the United States Department of Agriculture Forest Service (USFS), Bearlodge Ranger District proposes to implement multiple management actions in the Rattlesnake project area, including timber harvest activities, fuel reduction, enhancement of targeted vegetation communities, and prescribed fire.

The DEIS has an adequate discussion of water quality, riparian, and wetland existing conditions and potential impacts. The analysis of the proposed activities indicates only minor potential effects on hydrologic resources. Further, the description of best management practice requirements and past effectiveness (including field audits; pages 139 - 143) indicates adequate recognition of concerns and protection of water quality, channel morphology and wetland/riparian areas. However, EPA recommends additional information and analysis regarding air quality potential impacts and mitigation.

Air Quality

The preferred Alternative B describes a considerable prescribed broadcast burn area of 6,142 acres that may cause or contribute to deterioration of air quality and visibility to the surrounding areas, including the Wind Cave National Park, a Class I area located approximately 55 miles southeast of the project area. However, the DEIS does not

quantify emissions from the project. The Final EIS should contain a summary of emissions associated with the project and an analysis of potential impacts associated with those emissions. Consultation with the National Park Service should also occur regarding potential impacts to the Class I area.

The DEIS (page 32) presents dust and smoke control measures that would be utilized to minimize adverse impacts to air quality. EPA recommends that the USFS strengthen this section by incorporating the Interagency Prescribed Fire Planning and Implementation Procedures Guide (July 2008)<sup>1</sup> Elements into the DEIS. The Wyoming Department of Environmental Quality (WYDEQ) Smoke Management requirements<sup>2</sup> should also be referenced and adhered to when planning and conducting prescribed burns.

Section 3.4.2.4 (page 91) of the DEIS should include a discussion on existing air quality near the project area. Typically we prefer a summary of existing ambient air conditions from monitoring sites located nearby<sup>3</sup>.

Section 3.4 (page 93) of the DEIS discusses spatial boundaries of the project and nearby populated areas. We recommend strengthening this paragraph with a thorough discussion of the project's smoke impacts on the nearby population areas. Also, additional discussion should be considered regarding:

- what smoke mitigation techniques will be used;
- the meteorological conditions favorable for the prescribed burns;
- alternatives to burning;
- any monitoring of smoke concentration levels; and
- public notification of pending burns.

Consistent with Section 309 of the Clean Air Act, it is EPA's responsibility to provide an independent review and evaluation of the potential impacts of this project. Based on the procedures EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action, EPA is rating the DEIS as Environmental Concerns – Insufficient Information (EC-2). The "EC" rating indicates the EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. The "2" rating indicates EPA has identified additional information, data, analyses, or discussion that should be included in the Final Environmental Impact Statement. A full description of EPA's EIS rating system is enclosed.

<sup>1</sup> [http://www.nwcg.gov/branches/ppm/fpc/archives/fire\\_policy/rx/rxfireguide.pdf](http://www.nwcg.gov/branches/ppm/fpc/archives/fire_policy/rx/rxfireguide.pdf)

<sup>2</sup> <http://deq.state.wy.us/AQD/smokemanagement.asp>

<sup>3</sup> <http://www.epa.gov/air/data/index.html>

<http://www2.nature.nps.gov/air/monitoring/ads/adsreport.cfm>

<http://vista.cira.colostate.edu/views/>

Thank you for the opportunity to provide comments on the DEIS. If you have any questions or would like to discuss our comments, please contact Sarah Hester of my staff at (303) 312-6008, or you may contact me at (303) 312-6004.

Sincerely,

A handwritten signature in dark ink, appearing to read "Larry Svoboda", written in a cursive style.

Larry Svoboda  
Director, NEPA Program  
Office of Ecosystems Protection and Remediation

Enclosure





# U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

## Definitions and Follow-Up Action\*

### Environmental Impact of the Action

**LO -- Lack of Objections:** The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC -- Environmental Concerns:** The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO -- Environmental Objections:** The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU -- Environmentally Unsatisfactory:** The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

### Adequacy of the Impact Statement

**Category 1 -- Adequate:** EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 -- Insufficient Information:** The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 -- Inadequate:** EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

